

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

QUAWNTAY ADAMS, et al.,

Defendants.

Case No. 04-CR-30029-DRH

ORDER

HERNDON, District Judge:

This matter is before the Court on defendant Quawntay Adams' Motion to Continue Trial (Doc. 243). Recently, Adams apparently retained N. Scott Rosenblum as counsel in this matter, who filed his appearance on July 11, 2006 (Doc. 241). Mr. Rosenblum moves for a continuance of the current trial date of September 11, 2006 for two reasons: (1) pre-existing scheduling conflicts with the trial date; and (2) additional time is needed to adequately prepare for trial in this case (Doc. 243, ¶¶ 3-5). Mr. Rosenblum states he has two other cases set for trial the same week this case is currently set to commence. One of these cases, *USA v. Pittman*, No. 05-30133 (S.D. Ill.)(Herndon, J), is in front of the undersigned. In fact, the *Pittman* case is actually second-slotted behind the instant case. Because it would be impossible for the same Judge to handle both cases simultaneously, this "scheduling conflict" will not actually present a problem for Mr. Rosenblum.

The second case Mr. Rosenblum lists is one out of the Circuit Court of

Jefferson County, Missouri. However, Mr. Rosenblum was, or should have been, well aware at the time he accepted this case that such a conflict existed and therefore, he will have to endeavor to resolve this another way. Defendant Adams has been awaiting trial for approximately two years now. There have been multiple necessary continuances previously granted in this case, due to the number of defendants and surrounding circumstances. However, defendant Adams claims he was not given prior notice of, nor did he consent to, the many continuances sought on his behalf. In fact, he has written the Court at least five separate letters complaining of this specific issue and requesting that his right to a speedy trial be upheld. Further, during a hearing on a Motion to Withdraw Counsel, he again addressed the Court of this problem, believing he would never get a trial date because of the repeated continuances sought by his attorneys. Mr. Adams' court appointed counsel has not yet moved to withdraw and the motion to continue does not contain a consent of the defendant or even an indication that he gives his assent to his lawyer's request in light of the history in this case.

Therefore, it is in the interests of justice, the public, and defendant Adams that this case commence on its currently scheduled date of September 11, 2006. Accordingly, the Motion to Continue Trial (Doc. 243) is **DENIED**.

IT IS SO ORDERED.

Signed this 13th day of July, 2006.

/s/ David RHerndon
United States District Judge